

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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MEAT INNOVATIONS INC. and
INNOVATION TRADEMARKS, LLC,

Plaintiffs,

-against-

AVA COMPANIES; AVA PORK
PRODUCTS, INC.; AVA BEEF PRODUCTS,
INC.; and ALBERT GIRGENTI,

Defendants.

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KIMBA M. WOOD, United States District Judge:

For the duration of the COVID-19 health emergency, it is hereby ORDERED that, pursuant to Fed. R. Civ. P. 30(b)(3) and (b)(4), all depositions in this action may be taken via telephone, videoconference, or other remote means, and may be recorded by any reliable audio or audiovisual means. This Order does not dispense with the requirements set forth in Fed. R. Civ. P. 30(b)(5), including the requirement that, unless the parties stipulate otherwise, the deposition be “conducted before an officer appointed or designated under Rule 28,” and that the deponent be placed under oath by that officer. For avoidance of doubt, a deposition will be deemed to have been conducted “before” an officer so long as that officer attends the deposition via the same remote means (*e.g.*, telephone conference call or video conference) used to connect all other remote participants, and so long as all participants (including the officer) can clearly hear and be heard by all other participants.

SO ORDERED.

Dated: New York, New York
July 7, 2020

USDC SDNY
DOCUMENT
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1:19-cv-05155 (KMW)

ORDER

/s/ Kimba M. Wood
KIMBA M. WOOD
United States District Judge